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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:)
HAMID S. ABROY)
) Conf. No.: 4701
)
Serial No. 10/003,370)
) Group Art.: 3637
Filed: November 15, 2001)
) Examiner: FITZGERALD, John P.
Title: ARC STACK HOUSING)
WITH ARC PLATE)
LATCHING MECHANISM)

MAIL STOP APPEAL BRIEF-PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OCT 30 2003
GROUP 3600

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

NOTE: An appeal may be based on one rejection in a prior application and one rejection in a continuing application. 62 Fed. Reg. 53,131, at 53, 167; 1203 O.G. 63, at 93 (Oct. 10, 1997).

NOTE: There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. 62 Fed. Reg. 53,131, at 53,167; 1203 O.G. 63, at 94 (Oct. 10, 1997).

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 7, 2003, rejecting claims 1-13.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity
☐ a small entity

A statement

- ☐ is attached.
☐ was already filed on _____.

10/29/2003 AWONDAF1 00000115 193875 10003370

01 FC:1401 330.00 DA
02 FC:1251 110.00 DA

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the MAIL STOP APPEAL BRIEF-PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: Oct 22, 2003

Karen Pyka
Karen Pyka

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Notice of Appeal is:

- | | | |
|-------------------------------------|---------------------------|----------|
| <input type="checkbox"/> | small entity | \$160.00 |
| <input checked="" type="checkbox"/> | other than a small entity | \$330.00 |

Notice of Appeal fee due: \$330.00

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of § 1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550© for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input checked="" type="checkbox"/> one month \$	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$1,440.00	\$ 720.00

Fee \$ 440.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for ____ months has already been secured. The fee paid therefor of \$ ____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request is: _____.

Or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 330.00
Extension fee (if any) \$ 110.00

TOTAL FEE DUE \$ 440.00

5. FEE PAYMENT

- ☐ Attached is a check in the sum of \$ _____
- ☒ Charge Account No. 19-3875(LEX-80) the sum of \$ 440.00.
*A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

- ☒ If any additional extension and/or fee is required,
please charge Deposit Account No. 19-3875(LEX-80).

AND/OR

- ☒ If any additional fee for claims is required,
please charge Deposit Account No. 19-3875(LEX-80).

Reg. No.: 33,794

Telephone.: 847/925-3458
Facsimile: 847/925-7419


Signature of Practitioner

David R. Stacey
(type or print name of practitioner)

1415 S. Roselle Road

Palatine, Illinois 60067